

The State further introduced the following transcript of the evidence of R.P. Barrett, given at the original trial:

“Did you or not find any hair anywhere there? A. I found the hair on a bench lathe, on the handle.

Q/How far was this hair, what kind of a handle was it on? A. It was in the shape of an “L”.

Further on, the following questions were put by the State and answers given, viz:

Q. How was the hair caught in there? A. Swinging down like this (indicating)

Q. Was Miss Magnolia Somebody there? A. As near as I can remember, Miss Magnolia was there.”

Counsel for the defense cross-examined said Barrett, and for some reason best known to them, did not ask him whether or not he could identify the hair found by him as that of Mary Phagan, but as is shown on p. 534, Vol. 2, contented themselves with asking him the questions following, to which they received the answers set out:

“Q. You called Mr. Quinn in see that? A. I called him.

Q. Were they long strings of hair or were they knotted and matted hairs? A/ They were around my finger. I pulled the handle and they got around my finger.” Quinn was a witness for the defendant on the main trial”.